

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masahito OSAWA et al.

Group Art Unit : 1793

Appl. No. : 10/598,082 (U.S. National  
Stage Of PCT/JP2005/003229)

Examiner : Fogarty

I.A. Filed : February 21, 2005

Confirmation No. : 9910

For : METHOD FOR PRODUCING Mg-REM-Ni BASED  
HYDROGEN-ABSORBING ALLOY**AMENDMENT UNDER 37 C.F.R. 1.114  
IN RESPONSE TO FINAL OFFICE ACTION MAILED AUGUST 10, 2009**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, **Mail Stop AF**  
Randolph Building  
401 Dulany Street  
Alexandria VA 22314

Sir:

This is in response to the August 10, 2009 Final Office Action of the U.S. Patent and Trademark Office setting a three month shortened statutory period for response until November 10, 2009.

This Amendment is being filed as the Submission of a Request for Continued Examination which is being filed concurrently herewith.

Applicants note that this response is being filed prior to the expiration of the three month shortened statutory period for response, whereby an extension of time should not be necessary to maintain the pendency of the application. However, if any extension of time is required to maintain the pendency of this application, this is an express request for any required extension of time, and

authorization to charge any required fee, including any required extension of time and/or claim fee, to Deposit Account No. 19-0089.

**Amendments to the Claims** begin on page 3 of this paper.

**Remarks** begin on page 6 of this paper.

Reconsideration and withdrawal of the objection and rejections of record are respectfully requested in view of the remarks presented herein.